10191/2334

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

:

In re application of

Herbert ROECKEL et al.

International Application No.

PCT/DE01/02761

International Filing Date

July 20, 2001

U.S. Serial No.

10/089,258

For

DEVICE FOR DETERMINING AT LEAST ONE PARAMETER OF

A FLOWING MEDIUM

Commissioner for Patents Box PCT

Washington, D.C. 20231

Attention: DO/EO/US

RESPONSE TO MISSING REQUIREMENTS <u>UNDER 35 U.S.C. 371</u>

SIR:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) (mailed July 1, 2002), Applicants submit herewith a fully executed Declaration, in order to complete the filing requirements for the U.S. national phase of the above-identified PCT application. The application filed in the Patent Office is the application which the inventors executed by signing the Declaration and Power of Attorney. A copy of the Notification of Missing Requirements is enclosed.

The Office is authorized to charge the \$130.00 fee to cover the surcharge for late filing of the Declaration and any additional fees to Deposit Account No. 11-0600.

09/09/2002 SNAJARRO 00000100 110600 10089258

01 FC:154

130.00 CH

Richard L. Mayer, Reg. No. 22,490

One Broadway

New York, NY 10004

Respectfully submitted,

KENYON & KENT

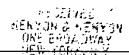
Tel: (212) 425-7200 Fax: (212) 425-5288

EXPRESS MAIL NO.: EV 003690070 US

495824



UNITED STATES PATENT AND TRADEMARK OFFICE



Commissioner for Patents, Box PCT United States Patent and Trademark Office Washington, D.C. 20211

JUL 00 11 107

ATTY. DOCKET NO.

U.S. APPLICATION NUMBER NO.

FIRST NAMED APPLICANT

10191/2334

10/089,258

Herbert ROECKEL

INTERNATIONAL APPLICATION NO.

PCT/DE01/02761

I.A. FILING DATE

PRIORITY DATE

07/20/2001

07/26/2000

26646 **KENYON & KENYON** ONE BROADWAY NEW YORK, NY 10004

CONFIRMATION NO. 2934 371 FORMALITIES LETTER *OC000000008375767*

Date Mailed: 07/01/2002

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated Office (37 CFR 1.494):

- U.S. Basic National Fees
- Priority Document
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Oath or Declaration
- **Preliminary Amendments**
- Request for Immediate Examination
- Substitute Specification

The following items MUST be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 20 months months from the priority date (37 CFR 1.492(e)) is required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 r 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.



The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

• \$130 Late oath or declaration Surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice MUST be returned with the response.

FRANCINE YOUNG

Telephone: (703) 305-3662

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/089,258	PCT/DE01/02761	10191/2334

FORM PCT/DO/EO/905 (371 Formalities Notice)